



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
HEADQUARTERS, U.S. ARMY MATERIEL COMMAND
9301 CHAPEK ROAD
FORT BELVOIR, VA 22060-5527

AMCCP-P

CPL 05-41-AMCCP

11 January 2006

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Policy Letter – Release of Contract Information

1. References:

a. Defense Federal Acquisition Regulation Supplement (DFARS) 204.4, Safeguarding Classified Information Within Industry.

b. DFARS 252.204-7000, Disclosure of Information.

2. The purpose of this memorandum is to ensure consistent application of requirements for the release of sensitive information throughout the U.S. Army Materiel Command (AMC).

3. The Secretary of the Army has expressed concerns about the disclosure of sensitive information following a recent incident in which contract information was disclosed to the press. This incident prompted the Department of the Army, Office of the General Counsel, to query whether the DFARS Clause 252.204-7000, Disclosure of Information, was being included in contracts that allowed contractor personnel to have access to or generate unclassified information that may be sensitive and inappropriate for release to the public. Based upon responses from contracting activities throughout the Army, this specific DFARS clause is not being used uniformly.

4. In order to ensure that all activities within AMC safeguard the release of sensitive information, request adherence to the following policy:

a. DFARS 252.204-7000, Disclosure of Information, shall be used in all Army contracts unless it is clearly deemed non-applicable based upon the requirements in DFARS 204.404-70(a). It specifies that this clause be used in solicitations and contracts when contractors will have access to or generate unclassified information that may be sensitive and inappropriate for release to the public.

b. To determine if DFARS 252.204-7000 is applicable, “sensitive” information may be defined as any information that is covered by a legal privilege, or which, if disclosed, could adversely affect the national interest, the conduct of Army programs, or the privacy of individuals.

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c. Under no circumstances will this policy be used to inhibit or constrain any release of information from Army contracts to Members of Congress or release under the Freedom of Information Act.

5. Any inquiries concerning this policy should be directed to: rachel.ballen@us.army.mil, DSN 656-656-8129, (703) 806-8129.

//Signed//

WILLIAM E. MORTENSEN

Lieutenant General, USA

Chief of Staff

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